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CERTIFICATE OF MAILING

I hereby certify that this RESPONSE is being deposited with the U.S. Postal Service, with sufficient postage, as first class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this 23rd day of February, 2004.

Typed or Printed name of person signing this certificate:

Wendy A. Frick



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PATENT

In re Application of) Examiner: Hutson, Richard G.
Gorski, et al.)
Serial No.: 09/940,673) Group Art Unit: 1652
Filed: August 27, 2001)
For: GROWTH ARREST HOMEobox) Attorney Docket No.: 22311/04015
GENE)
)

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

RECEIVED

MAR 03 2004

RESPONSE TO OFFICE ACTION

Dear Sir:

Dear Sir:

In response to the non-final Office Action mailed August 22, 2003, Applicants are filing concurrently herewith a continuation application.

Respectfully submitted,

Date: February 23, 2004

by:

Pamela A. Docherty
Pamela A. Docherty, Reg. No. 40,591
(216) 622-8416

Practitioner's Docket No. 22311/04015

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Gorski, et al.

Application No.: 09/940,673

Group No.: 1652

Filed: August 27, 2001

Examiner: Hutson, Richard G.

For: **GROWTH ARREST HOMEobox GENE**

Patent No.*: Issued:

**Note: Insert name of inventor(s) and title also for patent. Where notification is with respect to a maintenance fee payment, also insert application number and filing date, and add Box M. Fee to address.*

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

ASSERTION OF ENTITLEMENT TO SMALL ENTITY STATUS

CERTIFICATE OF MAILING/TRANSMISSION (37 C.F.R. § 1.8(a))

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transmitted by facsimile to the Patent and Trademark Office.

Date: Feb. 23, 2004

Signature

Wendy A. Frick

(type or print name of person certifying)

Applicant hereby states that this application is no longer licensed or optioned to a large entity and therefore is entitled to small entity status.

Date:

February 23, 2004

Pamela A. Docherty
(print or type name of person signing)

Signature

- Inventor(s)
 Assignee of complete interest
 Person authorized to sign on behalf of assignee
 Practitioner of record
 Filed under Rule 34(a)

Registration No.:

(if applicable)

Telephone No. (216) 622-8416

Reg. No.: 40,591

Customer No. 24024

(complete the following if applicable)

(type name of assignee)

Address of assignee

Title of person authorized to sign on behalf of assignee

Assignment recorded in PTO _____

Reel _____ Frame _____

Note: A statement under 37 C.F.R. § 3.73(b) is not required when the assignee signs a small entity declaration.
Notice of April 30, 1993, 1150 O.G. 62-64.